

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

February 16, 2009

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, February 16, 2009 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council Members on February 12, 2009, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Steven Skok, Richard Gabler, Jr., Sean Gabler, Richard Dornisch, City Manager David Greene, and Solicitor Mark Jacob

VISITORS

Visitors included: Bob Yoder, John Weible, Joe Goetz, Pat Rezmerski, Warren Stewart, Dan Hepner, John Schatz, Amy Shields, Richard Sadley, and Murray Neeper

APPROVAL OF MINUTES
February 2, 2009

Richard Dornisch made a motion to approve the minutes of February 2, 2009, seconded by Thomas Farley, and all were in favor, except Steven Skok who abstained.

SPECIAL PRESENTATION
Bob Yoder,
Susquehanna Valley
Group re: KOZ

Bob Yoder, of Susquehanna Valley Group, addressed Council regarding the movement of three acres of KOZ property from the Airport Industrial Park to the corner of Fourth and Depot Streets for the proposed construction of an 84 room flag hotel. He also noted another individual is interested in building a restaurant in this area. Mr. Yoder stated the KOZ movement is needed to make it economically feasible for a hotel and restaurant. An agreement will be made to pay the existing taxes to each taxing body over the next 10 years in lieu of taxes.

John Weible,
North Central

Mayor Geyer questioned the legality of moving the KOZ property. John Weible explained that a new Senate bill states it is legal to move KOZ wetlands or deemed environmental unusable property as long as it is within five miles from the existing location. The KOZ land at the airport would be decertified and the land in downtown St. Marys would be certified. Mr. Weible will prepare Resolutions which must be approved by all three taxing bodies.

John Weible and Bob Yoder answered several questions and concerns presented by citizens, School Board, and Council Members.

Councilmen Richard Dornisch and Thomas Farley both felt there is a need for another hotel.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

February 16, 2009

Cooperation
Agreement

Bob Yoder also presented a "Cooperation Agreement" for the Canadensis building which was originally signed for HRA monies. He noted the State came back and informed him that the agreement cannot be made with the Canadensis Associates that it has to be with the Susquehanna Valley Group. Mr. Yoder executed the agreement noting just the name was changed. Also, a copy of the Mortgage and Note for \$485,000. was presented to the Manager.

CITIZEN COMMENTS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Greene presented the following report:

- January 15th, met with John Buerk and Jim Groll to discuss the Industrial Access Road.
- Met with Joe Bologna and Victor Straub on January 15th and sat in on a conference call with the Bureau of Aviation to discuss the \$60,000. loan the Airport has on the terminal building.
- On January 21st, met with Devin Brock regarding plans for the Country Club restaurant.
- January 27th, met with Mike Imbrogno, Gabe Uljon, and Jerry Bankovich regarding the proposed ATA bus terminal in St. Marys.
- Met with Dave Fife on January 29th concerning the former Industrial Steel site clean-up.
- February 3rd, attended a meeting with the architects and utility representatives to discuss relocating utilities on Depot St. for the new parking garage.
- On February 3rd, Tom Farley, and I met with John Weible, Commissioner June Sorg, and Cindy Fingardo about the proposed KOZ sites and to discuss the proposed hotel.
- Met with Mark Adams from Senator Scarnati's office on February 6th to discuss our application for H2O funding.
- February 6th, met with Bob Yoder to discuss the Parking Garage Project.
- On February 10th, Matt Young, Matt Pfeufer, and I met with representatives from Lee-Simpson and Associates to discuss various projects in the City.
- February 11th, attended a CEC Leadership Training class in Ridgway to discuss the role of local government.

APPROVAL OF EXPENDITURES

Sean Gabler made a motion to approve the Expenditures Report for the period January 18, 2009 thru February 13, 2009. The motion was seconded by Steven Skok.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

February 16, 2009

Mayor Geyer questioned an item on Page 12 under French Creek Store for the purchase of a "rain suit" in the amount of \$101.83. Manager stated the suit is for the WWTP to enter the sewer lines.

Motion Passed

All were in favor to approve the Expenditures Report.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of January 31, 2009. Revenue for the General Fund is at 1.8% of the budget and expenditures are at 4.51% for January. Last year, at this time, the City collected .29% of the budget for revenue and expended 5.46% of the budget. Revenue will be low for the first few months of the year due to the real estate bills not being mailed until March 1st.

Steven Skok questioned if .29% is correct. The Manager will check with the Finance Director.

EXECUTIVE SESSION

An Executive Session was held at this time to discuss personnel and legal matters.

Meeting Reconvened

Mayor Geyer reconvened the meeting. No decisions were made.

LEGISLATIVE ACTION**Appointments:**

St. Marys Board of Health

Manager Greene read a letter received from the St. Marys Board of Health recommending the appointment of Desiree Rawlings as a member of the board.

Richard Dornisch made a motion to appoint Desiree Rawlings to the St. Marys Board of Health, seconded by Richard Gabler, and all were in favor.

It was noted that Council thanked the other two candidates who applied for the vacancy on the Board of Health.

Redevelopment Authority

Manager Greene stated three Letters of Interest were received for the vacancy on the Redevelopment Authority. They were Lisa Barrett, Warren Stewart, and Joseph Haines.

Dan Hepner,
Chairman of RDA

Dan Hepner once again stated the RDA recommends the reappointment of Warren Stewart.

Mayor Geyer made a motion to reappoint Warren Stewart to the Redevelopment Authority. The motion was seconded by Sean Gabler.

It was noted that Council tried to increase the RDA Board from five members to seven members. This was not permitted by State law.

February 16, 2009

Motion Passed
by Majority Vote

On a roll call, Mayor Geyer, Dennis Hero, Sean Gabler, Richard Gabler, Steven Skok and Richard Dornisch voted in the affirmative and Thomas Farley voted in the negative. The motion passed by majority vote to reappoint Warren Stewart to the RDA.

Dennis Nero explained at the last meeting he voted "no" to reappoint Mr. Stewart but since that time he has received many phone calls and letters in favor of his reappointment. Mr. Nero now voted "yes" but hopes Mr. Stewart will work with Council.

Sean Gabler stated four people have applied for volunteer positions with the City. Mr. Gabler requested that a letter be sent to these people encouraging them to apply again for positions on these boards when there are vacancies or on other boards that they may be interested in.

Municipal Authority

The Manager noted no "Letters of Interest" were received for the position on the Municipal Authority. Dennis Nero stated he approached a resident who expressed interest. Mr. Nero will call the interested individual tomorrow.

Mayor Geyer stated the appointment to the Municipal Authority will be placed on the next Council agenda.

Subdivision Application
Global Metal Products,
South Grotzinger Rd.

A Subdivision Application was received for the Global Metal Products (Todd Hanes) on South Grotzinger Road. The subdivision plan proposes to divide a 1.099 acre lot from a 5.199 acre parcel for the purpose of a new building lot. The new lot will be sold to Worldwide EDM Graphite, Inc. The land development plan for the new building was reviewed November 4, 2008. All parcels have access to public utilities.

It was noted that the 40 foot long property line between the new lot and the residual parcel has two different bearings for the same line; one label is S 36°13'31" W. and the other is N 36°13'53" E. The Planning Commission's comments have been addressed on the revised maps.

Dennis Nero made a motion to approve Global Metal Products Subdivision, seconded by Steven Skok, and all were in favor.

Award Bid
Pre-fabricated

Manager Greene read a memo from Michael Mullaney stating sealed bids for the Ultra-Violet Channel Building for the WWTP were opened publicly and read aloud on Tuesday, January 6, 2009 at 1:00 p.m. at City Hall. Nine bids were received. The

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

February 16, 2009

low bidder was Op-Tech Environmental Services in the amount of \$55,555.00. Mr. Mullaney and KLH Engineers both recommended the bid be awarded to Op-Tech Environmental Services in the lump sum of \$55,555.00

The award of the bid for the channel building was tabled at the February 2, 2009 Council meeting for a legal opinion as to whether the City must take the low bidder or can the bid be awarded to a local firm. Manager Greene stated, by law, the City must award the bid to the lowest responsible bidder.

Thomas Farley made a motion to award the bid to Op-Tech Environmental Services. The motion was seconded by Richard Gabler.

Richard Dornisch stated he is still opposed to awarding the bid to the low bidder instead of a local firm and felt there should be some way a local firm could be considered first.

Motion Passed by
Majority Vote

All were in favor to award the bid to the low bidder, except Richard Dornisch and Steven Skok. The motion passed by majority vote.

Consider for Adoption
Resolution No. 09-9
re: Growing Greener II
Grant Application for
the Depot Street
Revitalization Street
Lighting Project

Resolution No. 09-9 was presented authorizing the filing of a grant application in the amount of \$30,000. to the Department of Community & Economic Development for Growing Greener II/CEI (County Environmental Initiative) grant funds to be used towards the Depot Street Revitalization Street Lighting Project.

Richard Dornisch made a motion to adopt Resolution No. 09-9, seconded by Sean Gabler, and all were in favor.

Resolution No. 09-10
re: 2009 CDBG
Application

Resolution No. 09-10 was presented for the 2009 CDBG Application. Tina Gradizzi stated that since the City did not receive the allotted amount for 2009, she is requesting that Council table the adoption of Resolution No. 09-10 until the allotment is received. It was advertised that the Resolution would be presented to Council during their February 16th meeting.

Resolution Tabled

Dennis Nero made a motion to table the adoption of Resolution No. 09-10, seconded by Steven Skok, and all were in favor.

February 16, 2009

**Amendment re: Cable
Franchise Agreement**

Solicitor Jacob explained this amendment to the Cable Franchise Agreement is basically just changing the name in the agreement. The actual owner of the cable franchise is "St. Marys Television, Inc." which does business in the City under the name of "Zito Media, LP". This amendment reflects the correct name of the cable franchise owners.

Sean Gabler made a motion to approve the Amendment to the Cable Franchise Agreement, seconded by Thomas Farley, and all were in favor.

TOPIC FOR DISCUSSION

Approval of
Cooperation
Agreement

Manager Greene requested that Council approve the "Cooperation Agreement" tonight noting that the agreement was already approved between the City and Canadensis Associates. The grant states the agreement is between the City and the Susquehanna Valley Group so the "Cooperation Agreement" needs to be changed to reflect this.

Sean Gabler made a motion to approve the Cooperation Agreement between the City and the Susquehanna Valley Group, seconded by Mayor Sally Geyer, and all were in favor.

CITIZEN COMMENTS

There were no citizen comments on non-agenda topics.

COUNCIL COMMENTS

Tina Gradizzi,
Recycling
Coordinator

Tina Gradizzi thanked businesses for responding to the annual Recycling Report and noted the tonnage at the compost site is up. She stated the Electronics Center will be opened this Saturday, February 21st from 9:00 a.m. until 1:00 p.m. and that they will also be collecting plastic bottles Nos. 1 and 2. Medicine will be collected on April 4th from 8:00 a.m. until noon at the Elk Regional Health Center.

Richard Dornisch stated he was approached by residents of the High-Rise on Center Street that the sidewalks in front of unoccupied buildings are not being cleared of snow and ice.

Dennis Nero stated he was questioned by several residents as to why the City crew was cleaning up debris around Elk Power on Bucktail Road. Manager Greene stated a building collapsed and the tin roof, due to the high winds, blew all around creating a dangerous situation. An invoice will be sent to Elk Power. If there is no response, a lien may be placed on the property.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

February 16, 2009

Dennis Nero suggested that real estate agencies be contacted to inform them that sidewalks in front of unoccupied buildings, up for sale, need to be cleared of snow and ice.

Sean Gabler reminded residents that tomorrow is the first day to circulate petitions for various local offices. He stated there are four positions open for City Council and he encouraged anyone who is interested in local government to get a petition started.

ANNOUNCEMENT

Mayor Geyer made the following announcement:
- Next Council meeting will be held on Monday, March 2, 2009 at 7:00 p.m.

ADJOURNMENT

Sean Gabler made a motion to adjourn the meeting.

Shirley Dicklas
Recording Secretary

Mayor